

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-CR-80156-DMM-1

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JORGE IBARRA,

Defendant.

**DEFENDANT JORGE IBARRA'S
OBJECTIONS TO THE PRESENTENCE INVESTIGATION REPORT**

The Defendant, **Jorge Ibarra** [**“Mr. Ibarra”**], by and through his undersigned counsel and pursuant to Fed. R. Crim. P. 32, respectfully submits the following objections and comments to the Presentence Investigation Report (“PSR” or “Report”):

A. Objections and Comments to the PSR Affecting the Guidelines Calculations

¶186: Mr. Ibarra’s overarching position is that the PSR correctly calculates his total offense level at 19, with a criminal history category of I, and a presumptive sentencing guidelines range of 30 to 37 months in the Federal Bureau of Prisons.

¶198: Mr. Ibarra thanks USPO Frances Weisberg for humanely bringing this downward departure/downward variance argument to the attention of the Honorable Court. Mr. Ibarra also asks the Honorable Court to consider ¶¶ 56, 57, 61, 63, 64, 65, 66, 68, and 69, in its downward variance calculus. Arguments fleshing out the reasons for a downward variance will be advanced in an upcoming downward variance pleading.

B. Objections and Comments to the PSR Not Affecting the Guidelines Calculations

¶16: Without minimizing the emotional impact of Mr. Ibarra's offense conduct on L.W., Victim 1, Mr. Ibarra respectfully asks the Government to satisfy their preponderance of the evidence burden with respect to proving that L.W. is owed \$195,000.00 in restitution.

¶¶48, 49, 50, 51, and 52: Mr. Ibarra asks the Honorable Court not to consider the allegations contained in these paragraphs in its sentencing determination because it is unclear from the record whether the presiding judge makes specific factual findings as to the veracity of these allegations, if the allegations are specifically admitted to on the record by Mr. Ibarra, or if the presiding judge enters these orders with a stipulation between the parties predicated upon no specific findings of fact.

¶70: Mr. Ibarra struggles with PTSD and anxiety. Future recommended treatment modalities need to consider treating these challenging psychological realities.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 17, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

Respectfully submitted,

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